

REMARKS

The Examiner has rejected claims 1-5, 8-10, 17-21, and 25-26 under 35 USC 102(e) as being anticipated by Pochuev (U.S. Pat. Appl. Publ. US2004/0204831), hereinafter "Pochuev".

Pochuev describes a system in which a mobile wireless device can search for and hopefully find one or more stationary resource devices such as printers. The method by which the goal is accomplished relies on short range RF transceivers (either Bluetooth or 802.11, see ¶ [0014]) to calculate via a triangulation method relative distances and directions among the devices. This is distinguishable from the present invention on a variety of levels.

The present invention describes and claims a method of presenting location data representing a mobile phone's current approximate location with respect to a database of known locations. To achieve the goal, the present invention determines its own physical location and compares that location to those stored in the database that correspond to known fixed locations such as airports, hospitals, police stations, schools, the user's office, or the user's home to name a few. The present invention then chooses one of the locations from the database and presents an icon representing that location on the mobile phone display along with positional data that tells the user how far away and in what direction the location represented by the icon is from the current position of the mobile device.

The first major distinction between Pochuev and the present invention is that Pochuev is designed only for short range distances that fall within the range of Bluetooth and/or 802.11 technology. This is further evidenced in the overall description of Pochuev that describes scenarios in which a user sets out on foot in search of a resource device such as a printer in, for instance, an airport. The present invention, by contrast, is designed for use over much larger distances on the order of many miles.

The second major distinction between Pochuev and the present invention is that Pochuev requires a wireless signal to be exchanged between the searching wireless device (i.e., mobile phone) and the resource device in order to determine the position of one relative to the other. This sometimes involves yet another device (locating device) to facilitate distance and direction calculations. The present invention does not need to communicate with the actual location represented by the location icon. In fact, it is generally not possible since the locations are not RF equipped and need not be. The present invention relies on a database of fixed coordinates that are associated with each of the locations. In this way, the mobile phone need only determine its own

location in order to figure out the distance and direction to the location represented by the location icon.

Turning specifically to the claim language of the present invention, the Examiner fails to apply a specific portion of the Pochuev reference to the clause “*determining the current position of the mobile phone*”. This is contrary to the requirements of 35 USC §102(e). Pochuev cites ¶ [0025-0026] as disclosing “*looking up locations within a predetermined distance from the current position of the mobile phone*” and “*displaying a location icon representing a location within the predetermined distance to the current position of the mobile phone*”.

With respect to the former, Pochuev clearly does not *look up locations within a predetermined distance from the current position of the mobile phone*. Pochuev calculates locations as opposed to looking them up. Looking up a location, as claimed in the present invention, implies that the location is already known (not calculated) and is simply being accessed if it fits within the “predetermined distance” criteria. Moreover, Pochuev does not use or describe a “predetermined distance” criteria. This is primarily because Pochuev is already constrained to a short range on the order of a few hundred feet. Thus, Pochuev does not teach this clause of the present invention.

With respect to the latter, Pochuev also does not *display a location icon representing a location within the predetermined distance to the current position of the mobile phone*. Pochuev, in figure 2, displays a listing of found resource devices according to a textual location description (e.g., Gate A-1 for an airport locale), a compass heading, and a distance (in feet). None of these is equivalent to an icon representing the location. If Pochuev had, for instance, displayed an icon that looked like a printer in his example, it may have been closer to the idea expressed in the present invention. In addition, Pochuev displays a list of “discovered” resource devices regardless of distance from the wireless device as opposed to a single location icon that gives the mobile phone a location perspective with a recognized landmark.

In sum, Pochuev is a resource locating system requiring actual communication between a seeking device and the device it is seeking that operates over relatively short ranges while the present invention is more of a navigational or positional aid that operates over great distances that can be limited at the user’s discretion.

It is applicant’s belief that the Examiner has (1) mischaracterized the Pochuev reference as applied to the present invention, and (2) failed to meet the statutory requirements for a 35 USC 102(e) rejection. Based on the foregoing, applicant requests reconsideration and withdrawal of the 35 USC 102(e) rejections of the claims of the present invention.

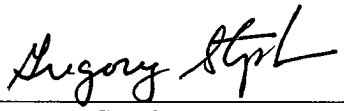
The Applicants believe they have responded to all of the concerns raised by the Examiner. Reconsideration of this application is hereby respectfully requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

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